

DECLARATION AND POWER OF ATTORNEY

FOR PATENT APPLICATION

As the below named inventors, we hereby declare that:

Our residence, post office address and citizenship is as stated below next our names,

We believe we are the original, first inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled SURGICAL HELICAL FASTENER WITH APPLICATOR, the specification of which (check one):

 is attached hereto
XX was filed on August 5, 1994
Application Serial No. 08/286,878
and was amended on (or amended through

(if applicable)

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment(s) referred to above.

We acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Sec. 1.56(a).

We hereby claim foreign priority benefits under Title 35, United States Code, Sec. 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign

application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s) Priority Claimed

| <u>None</u> No. | <u>Country</u> | <u>Day/Month/Year filed</u> | <u>Yes</u> | <u>No</u> |
|--------------------|----------------|-----------------------------|------------|-----------|
|--------------------|----------------|-----------------------------|------------|-----------|

We hereby claim the benefit under Title 35, United States Code, Sec. 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Sec. 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Sec. 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

| <u>None</u> Appln. Serial No. | <u>Filing Date</u> | <u>Status</u> |
|----------------------------------|--------------------|---------------|
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We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

We hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith: JOHN S. NAGY, Registration No. 30,664, JAMES W. PAUL, Registration No. 29,967, DAVID G. PARKHURST,

Registration No. 29,422, RICHARD A. BARDIN,
Registration No. 20,365, and GILBERT G. KOVELMAN,
Registration No. 19,552. Direct all telephone calls to
JOHN S. NAGY at telephone No. (310) 824-5555.

Address all correspondence to:

FULWIDER, PATTON, LEE & UTECHT
10877 Wilshire Boulevard, 10th Floor
Los Angeles, California 90024

Full name of inventor: Lee Bolduc

Inventor's signature: 

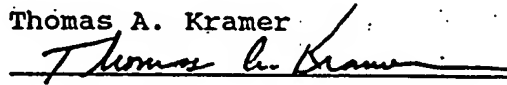
Date: 10/21/94, 1994

Residence: Mountain View, CA 94041

Citizenship: U.S.A.

Post Office Address: 761-1/2 Palo Alto Avenue
Mountain View, CA 94041

Full name of inventor: Thomas A. Kramer

Inventor's signature: 

Date: 10/25/94, 1994

Residence: San Carlos, CA 94070

Citizenship: U.S.A.

Post Office Address: 1149 Orange Avenue
San Carlos, CA 94070

Full name of inventor: Brian A. Hodges

Inventor's signature: 

Date: 10/25/94, 1994

Residence: Foster City, CA 94404

Citizenship: U.S.A.

Post Office Address: 360 Sunfish Court
Foster City, CA 94404

Full name of inventor: Tim McCoy

Inventor's signature: Tim McCoy

Date: OCT 25, 1994

Residence: San Carlos, CA 94070

Citizenship: U.S.A.

Post Office Address: 2 Cottage Lane
San Carlos, CA 94070

Full name of inventor: John Lunsford

Inventor's signature: John P. Lunsford

Date: 10/25/94, 1994

Residence: San Carlos, CA 94070

Citizenship: U.S.A.

Post Office Address: 3378 Brittan Avenue, #15
San Carlos, CA 94070